File No.REV01-LANA0MISC/1086/2021-LANDS-I

**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

The Andhra Pradesh Rights in Land and Pattadar pass Books Act, 1971- "The Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules, 2021- Final Notification-Orders-Issued.

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REVENUE (LANDS-I) DEPARTMENT

G.O.Ms.No. 366 Dated: 20-12-2021

Read the following

1. The Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (Act No.26 of 1971)
2. The Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 amended vide Ordinance No.8/2021, dated: 29-07-2021.
3. From the Spl.CS & CCLA, LR-I/336/2021 Dt.11.10.2021
4. G.O.Ms.No.357 Revenue 9Lands.I) Department dt.08-12-2021.

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**ORDER:**

"The Survey of Village Abadi and Mapping with Improvised Technology in Village Areas (SVAMITVA) Scheme, a Government of India scheme launched by Hon'ble Prime Minister of India on National Panchayat Day i.e. 24th April, 2020. The YSR Jagananna Shaswata Bhu Hakku mariyu Bhu Raksha Pathakam" is a comprehensive Re-Survey of Agriculture lands, Habitation of Rural and Urban areas. The schemes mandate to survey all the households/properties of rural non-agricultural areas (Habitations) through Drone Technology and provide an integrated property validation solution for rural Andhra Pradesh through issue of Ownership certificates to the occupants/owners. The 'Record of Ownership' is prepared to enable the rural households to use their property as a financial asset for taking loans and other financial benefits from banks.

2. Therefore, to implement the prestigious programme of the Government i.e. Survey of all lands irrespective of its usage falling within Gramakantam lands in the village and to issue Certificate of Ownership to the owner, Sections 2 and 6-A of the Andhra Pradesh Rights in Land and Pattadar Pass books Act, 1971 (Act No.26 of 1971) have been amended providing legal sanctity to survey all lands located in the Gramakantam lands in the village and issue Certificate of Ownership to the owners of these lands.

3. Whereas, the Andhra Pradesh Rights in Land and Pattadar Pass Books Act 1971 has been amended accordingly vide Ordinance No.8/2021 dated: 29.07.2021.

4. Whereas, in the reference 4th read above, Preliminary Notification was issued inviting objections and suggestions to frame rules named - "The Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules, 2021.

And whereas, no objections have been received within the stipulated time, the Government after careful examination, hereby decided to issue the final notification to framing rules for - "The Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules, 2021"

6. Accordingly the following Notification will be published in an extraordinary issue of the Andhra Pradesh Gazette dated: -12-2021.

## FINAL NOTIFICATION

In exercise of the powers conferred by the subsection (1) of Section 11 of Andhra Pradesh Rights in Land and Pattadar Pass Books Act 1971 (Act No.26 of 1971), the Governor of Andhra Pradesh here by frames the Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules, 2021, and they are here by published for the general information in the Andhra Pradesh Gazette as required under sub section – 1 of Section 11 of the said Act.

## The Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules, 2021

### 1. Short title, extent and commencement: —

(1) These Rules may be called the "The Andhra Pradesh Rights in Gramakantam Lands and Certificate of Ownership Rules 2021"

2) They shall extend to all areas where the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 is in force.

### 2. In these rules, unless the context otherwise requires, —

a. "Act" means the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971;
b. "Amendment and maintenance of record of rights in lands" means and includes the amendments to the record of rights under Sections 3(3), 5, 6(a), 8(2) and 9 of the Act.
c. "Certificate of Ownership" means Certificate of ownership issued under section 6-A for the lands located in the Gramakantam lands in the Village.
d. "Commissioner" means the Chief Commissioner of Land Administration;
e. "Form" means the form appended to these rules;

f. "Gramakantam" means Gramanatham, Abadi, Village Site or any other name in local parlance having same meaning, the land set apart in a Village for dwelling and incidental purposes. .
Explanation: -A Village can have one or more than one Gramakantam
g. "Land" means all lands, irrespective of its usage, falling with in a Village, including Agricultural land, Non-Agricultural land, Gramakantam etc. which include lands having building, hut, wall and any other such structure whether of masonry, bricks, wood, mud, metal or other material whatsoever; for human occupation, whether as a residence or otherwise and includes any shop, factory, workshop or warehouse or any building used for cattle shed
h. "Land Parcel" means Gramakantam Land having an assigned numeric code for which location and boundaries are marked;
i. "Owner" means a person, other than a tenant or a usufructuary mortgagee, who has a Property Tax Assessment number assigned to his property by the local body which include DKT house site patta holders/legal heirs and possession certificate holders in un-objectionable Government Porambokes, after 10 years of issue of the Pattas/Certificates.
j. "Recording authority" means any officer of the Government, for a specified purpose, as prescribed by the Government
k. "Record of Rights" means in respect of owners title of Gramakantam Land and in respect of other rights and interests in Non Gramakantam Land;
l. "Section" means a section of the Act;
m. "Unique Id" means Unique Identification number assigned to Land Parcel holding of a Gramakantam Land;
n. "Village Secretariat" means Village Secretariat as notified by the Government;
o. words and expressions used but not defined in these rules but defined in the AP Rights in Lands and Pattadar Pass books Act 1971, shall have the same meanings assigned to them in these Rules.

**3. Form of Record of Rights:** —The Record of Rights shall be prepared initially in "Form-GK-I" and subsequently maintained in "Form-GK-IB" for every separate Revenue Village and also for every separate Grama Panchayat.

**4. Procedure for preparation and updating of the Record of Rights: —**

i. The preparation of Record of Rights in lands in the village shall be prepared in the manner hereinafter provided.
ii. The Commissioner shall issue a notification whenever and wherever necessary to update Record of Rights either for the entire State or for specific area or areas from such date or dates by publication of such notification in the Andhra Pradesh Gazette. The said notification shall also be published in two daily newspapers in circulation in the State of Andhra Pradesh of which at least one shall be in the Telugu language.

iii. Whenever a resurvey or survey is conducted in a Village under the Survey and Boundaries Act, 1923, the Record of Rights in all lands in that Village shall be updated as per the resurvey /survey records prepared under the Survey and Boundaries Act, 1923

**5**. The Recording Authority after the commencement of the Act, shall issue notices duly publicising in a village, where the Record of Rights are to be updated as per the notification issued by the Commissioner. The notices shall declare:

(a) (i) Intention of preparing a Record of Rights in lands in the village/Grama Panchayat for the first time.

(a) (ii) That all persons claiming any right or claim or interest in any land in the village may apply either through the Panchayat Secretary concerned or directly in writing in duplicate in Form GK-IA showing the particulars of land/Property with their Survey Number, boundaries, measurements, along with a map and approach road in which a right, claim or interest is claimed.

(a) (iii) by updating of Registry of Holdings of Joint properties

(b) The notice shall specify a date not earlier than fifteen (15) days from the date of publication, before which any individual or individuals shall file their claim, right or interest in the lands.

(c) (i) The notice shall specify that the Record of rights shall be prepared for each land in the village. The notice shall specify that if persons have claim or interest for one or more lands in that village, he/she shall file separate claims for each land,

(c) (ii) if a person has claim or interest in lands in more than one village in a Mandal, he shall file separate claims in each village in Form GK-IA.

(d) The Recording Authority shall declare the intention to hold an enquiry in respect of all claims, rights and interests in the village, on a date to be specified in the notice in this behalf not being earlier than twenty-two days (22) from the date of publication of the notice and calling upon all persons interested to appear before him at the said enquiry on the date so specified.

(e) The notice referred to in sub-rule (1) shall be Form-GK-II and shall be published in the District Gazette of the District in which the village is situated and also in the following manner namely –

(e) (i) by affixture in the chavidi or if there is no chavidi, in any other conspicuous place in the village

(e) (ii) by affixture on the notice boards of the Gram Panchayat Office/Village Secretariat, Primary Co-operative Agricultural Credit Society or School, if any, in the village;

(e) (iii) by beat of tom tom in the village;

(e) (iv) by affixture on the notice board of the office of the Tahsildar concerned having jurisdiction over the village; and

(e) (v) by affixture on the notice board of the office of the Mandal Praja Parishad in which the village is situated

**6**. (1). The Recording Authority shall arrange for the receipt of the claims and arrange for issuance of acknowledgments duly indicating the receipt of the claim and the date of holding inquiry in the village, and also to maintain a Register of claims received in Form GK-IIA.

(2) During the enquiry referred to in sub-rule (1) the Recording Authority shall:

i. receive further statements of claims in writing that may be submitted to him;
ii. hear any oral representation made in respect of any claim and make a summary record of such representation; and
iii. Examine the relevant registers, Records and accounts already maintained in respect of the lands/Properties in the village for the purpose of collection of Property Tax by the local body.

**7**. (1) . The Recording Authority holding an enquiry under Rule 6 may, if he so thinks fit, adjourn the enquiry to a later date or dates.

(2) Every such adjourned enquiry shall be held in the village and the date or dates to which the enquiry is adjourned shall be announced in public by the Recording Authority himself at the time of adjournment on the day on which the enquiry could not be taken up or finished.

**8**. During the course of the enquiry referred to in Rule 6 above the Recording Authority may, if he considers it expedient:

a. summon the attendance of any person for the purpose of examining him;
b. require any person to produce any document believed to be in his possession; and
c. enter upon, inspect and measure or cause to be measured any land

**9**. (1) (a) After due completion of enquiry, referred to in Rule 6, the Recording Authority shall pass orders in respect of-

(i) all cases requiring change of Registry necessitated by the death of registered holder i.e., succession by heir ship, if succession is not disputed. With regard to the entry of the names of the heirs, the names of all the heirs entitled to shares in the property should be registered;

Provided the Recording Authority concerned or such other officer as may be prescribed, shall scrutinize every claim before passing of the orders by the Recording Authority"

(ii) all cases requiring change of registry necessitated by sale, gift, etc.,

through registered documents, if there is no dispute. In all cases of absolute transfer of title, the Registry of a holding should be altered to correspond with the transfer of its ownership. Where the Registered holder is not a party to a registered transaction, the registered holder should be enquired. The parties involved in a transfer should be connected by a complete chain of registered documents. Unregistered documents are not admissible as evidence in this enquiry to prove the ownership or title of the property. Where the chain is not complete, no transfer of registry shall be done. Such cases shall be referred to the Tahsildar, for disposal after confirmation of the Record of Rights for the villages:-

Provided, the Recording Authority concerned or such other officer as may be prescribed, shall scrutinize every claim before passing of the orders by the Recording Authority

(iii) All cases requiring splitting of joint properties which do not involve any dispute. Joint properties held by a Hindu Joint Family shall not be split up unless the family request for it in writing. The Recording Authority shall enquire the joint property holders and after enquiry, by order, determine the share of land of each property holder in the joint holding. The shares of the land shall be sub-divided in due course and the cost of sub-division recovered from the property holders in proportion of their shares. After the confirmation of the Record of Rights, a person excepting a Hindu Joint Family in a village shall have only one Account for all his properties in the village as far as, it is practicable. Joint property holder cases in which there is a dispute shall be referred to the Tahsildar after confirmation of the Records of Rights for the village;

Provided , the Recording Authority concerned or such other officer as may be prescribed, shall scrutinize every claim before passing of the orders by the Recording Authority"

(iv) No order shall be passed for the change of Registry or splitting of joint properties, unless the recording authority is satisfied that the change of Registry or splitting of joint Property is not in contravention of any of the provisions of:(1) The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Act 1 of 1973);(2) The Andhra Pradesh Assigned Land (Prohibition of Transfers) Act, 1977 (9 of 1977); (3) The Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (1 of 1959);

(b)(i) After due completion of enquiry referred to in Rule 6 the Recording Authority shall also pass orders for registering the names of claimants in respect of all cases of claims of tenancy, mortgage and occupancy where there is no dispute.

(c) (i) All disputed cases of transfer of registry, splitting of joint properties, registering the names of tenants, mortgagee and occupants shall be submitted by the Recording Authority after the confirmation of the Record of Rights to the Tahsildar for disposal in due course.

(ii) In respect of cases falling under Rule 9(1)(a)(i), the Tahsildar shall hold a summary enquiry as to who has the right to succeed to the property of the deceased registered holder, according to the principles of the Law of Succession which govern the case and give notice to all persons known or believed to be interested to the effect that the registry will be made in the name of the person found to be entitled, unless a declaration if filed, within one month from the date of the notice, by any person objecting to the registry, stating that he has instituted a suit in a Civil Court to establish his superior title and an authenticated copy of the plaint in the suit is produced. If no declaration is filed, the registry should be made as stated in the notice, at the expiration of one (1) month. If a declaration is filed, the result of the suit should be awaited before taking further action.

(iii) In respect of cases falling under Rule 9(1)(a)(ii) if the chain is not complete, the Tahsildar can consider other evidence such as statements of respective neighbours, House tax receipts, Aadhar address proof, Water tax receipts , Bank pass book , Electricity bills etc., and take decision. Fifteen days (15) time shall be allowed for filing objections if any, and an enquiry be held in respect of the same. Thereupon, transfer of registry shall be ordered unless the objection is found to be valid.

(iv) No order shall be passed by the Tahsildar for the change of registry, splitting of joint properties, recording the names of Tenants and Mortgagees in possession, unless he is satisfied that the change so ordered is not in contravention of any of the provisions of the Acts referred to in Rules 9 (1)(a)(iv).

(2) After the passing of the orders under sub-rule 1(a) or 1(b), the Recording Authority shall prepare or cause to be prepared a Draft Record of Rights/Draft Record of Rights made up-to-date in Properties in the Village in Form GK- I and such draft Record of Rights shall be kept in the custody of Panchayat Secretary in the Village/Ward Secretariat.

**10**. 1 (a) The Recording Authority shall thereafter cause to be published a notice to the effect:

(i) that the Draft Record of Rights has been prepared for the village/ Grama Panchayat for the first time; or

(ii) that the Draft Record of Rights made up to date has been prepared for the village/ Grama Panchayat

(b) that the said record has been kept in the custody of the Panchayat Secretary of the village that it may be inspected of all reasonable times by any person.

(c) that all persons claiming to rectify any omission or error in the said record should furnish a statement in writing relating to their claims on or before a date to be specified in the notice in this behalf not later than fifteen (15) days from the date of publication thereof; and

(d) declaring his intention to hold a Grama Sabha to read out the Draft

Record of Rights / Draft Record of Rights made upto date on a date to be specified in the notice in this behalf not later than twenty-two (22) days from the date of publication thereof and calling upon all residents of the village to attend the Grama Sabha and make claims and objections.

(e) declaring his intention to hold an inquiry, into claims and objections received under Clauses (c) and (d) above at the village on a date to be specified in the notice in this behalf not later than forty days(40) from the date of publication thereof and calling upon all persons interested to appear before him at such enquiry.

(2) The notice referred to in sub-rule (1) above, shall be in Form GK-III and shall be published in the manner specified in Clauses (a) to (e) of sub-rule (2) of Rule 5.

(3) Any oral claims and objections received at the Gram Sabha shall be reduced to writing by the Recording Authority and the same shall be considered at the proposed enquiry.

(4) All claims and objections to the entries in the Draft Record of Rights published shall be submitted in duplicate in Form GK- IIIA. The receipt of the claim/objection shall be acknowledged in the duplicated copy. A register shall be maintained in Form GK-IIIB for the claims and objections received in Form GK-IIIA response to the notice in prescribed Form GK-III.

**11**) (1) The Recording Authority shall receive the statement submitted in respect of any claim of rectification or error or omission in the Draft Record of Rights or Draft record of rights made up to date published and shall arrange for immediate sub-division work wherever felt necessary before the date specified for enquiry. He shall proceed to the village on the dates specified in the notice and hold an enquiry into all the claims received.

(2) The provisions of Rules 7 and 8 shall apply to the enquiry referred to in sub-rule (1) above.

(3) On the completion of the enquiry, the Recording Authority shall determine whether or not the Draft Record of Rights required to be altered in the consequence of any such claim for rectification of an error or omission in the said record and make a summary order accordingly:

Provided that no such order altering the Draft Record of Rights shall be made adversely affecting the rights of any person whose name has been entered in the Draft Record of Rights as having an interest in the land/Property in respect of the entry relating to which the alteration is proposed without giving a reasonable opportunity of making a representation in this behalf.

(4) The Recording Authority shall not pass any order under sub-rule (3) above without obtaining the orders of the Tahsildar or any other officer prescribed for disposal in due course.

**12**. (1) If at any time, before the completion of the enquiry referred to in Rule 11 above, the Recording Authority has reasons to believe that any entry made in the Draft Record of Rights requires to be altered in any manner he may make such alteration: Provided that no such alteration shall be made without giving any person whose name is entered in the Draft Record of Rights as having any interest in the land/Property in respect of the entry relating to which the alteration is proposed of making a representation in that behalf.

(2) Recording Authority shall pass orders under the sub-rule (1) above only after obtaining the orders of Tahsildar.

(3) The orders referred to in the above sub-rules not be in contravention of any of the provisions of the Acts referred to in Rules 9(1)(a)(iv).

**13**. (1) After the completion of enquiry referred to in Rule 11 above, the Recording Authority shall confirm the Draft Record of Rights in the village or the Record of Rights brought up-to-date subject to the alterations if any made in pursuance of the orders passed in Rule 11 or Rule 12, and the Draft Record of Rights so confirmed shall be the Record of Rights in Properties/ lands in the village.

(2) The Tahsildar concerned, the Revenue Divisional Officer, and the Deputy Collector (Record of Rights) the District Revenue Officer, the Collector of the District, and any officer designated by the Collector for this purpose in exercise of their general powers of supervision, shall be competent, Suomotu, to test and revise the entries in the confirmed Record of Rights provided that no revision shall be made without giving any person whose name is entered in the Record of Rights, as having any interest in the land in respect of the entry relating to which the alteration is proposed of making a representation in that behalf. Before making any revision, an Officer shall obtain the approval of his immediate superior officer if the entry, in the Record of Rights was made or confirmed by an Officer of the same rank.

**14**. (1) The fact of completion of the preparation of the Record of Rights for the first time or the fact of completion of the Record of Rights made up to date in any village shall be notified in the Andhra Pradesh Gazette or the District Gazette as in Form GK-IV.

(2). The notification referred to in sub-rule (1) shall also be published in the manner specified in sub-rule (2) of Rule 5.

(3). Within fifteen days(15) of the confirmation of the Record of Rights prepared for the first time or the Record of Rights made up-to-date, the Recording Authority shall hold a Gram Sabha at which the confirmed Record of Rights shall be read out for the information of those present.

(4) The new Sub division number or land parcels, as shown in the confirmed Record of Rights shall be measured and mapped in the concerned records as per the procedure laid down and the fee shall be recoverable from the concerned ryots as arrears of land revenue. The

extent noted in respect of each land parcel of each sub-division the Land Parcel Number and Unique Id of the Land Parcel" on the Record of Rights Register, shall be subject to correction, wherever necessary after the completion of measurement of the new sub-division of the Land Parcel..

**15** (1). After the publication of the notification in Form GK-IV the Tahsildar concerned shall arrange to recast the information Form GK-I in to Form GK I-B and authenticate the entries in respect of each person. If for any reason the confirmation of the Record of Rights in any village under sub-rule (1) of Rule 13 or the issue of notification as in Form-GK_IV prescribed in respect of any village is held up, then the Collector may, by a special order, authorise the Tahsildar in whose jurisdiction the village is situated to get the register in Form-GK-IB prepared for the village excluding the Garamakantam Land Parcel numbers and unique identification numbers for which claims in Form-GK-IIIA are received. The register of final ROR in Form-GK-IB so prepared shall be test checked and shall also be read out in a Grama Sabha, the entries in the register shall be authenticated by the Tahsildar.

(2) After the preparation of the register in Form GK-IV the Tahsildar concerned shall arrange to get the certificate of Ownership prepared with reference to the entries in Form-GK-IB prescribed and deliver the same to the persons concerned in a Gram Sabha convened with a previous notice in Form-GK-IVA prescribed of at least seven (07) days. The notice shall be published as per Clauses (a) to (e) of sub-rule (2) of Rule 5.

(3) On receipt of an application from any person for Certificate of ownership for any Gramakantam land in any capacity such as owner, mortgagee, tenant etc., the Tahsildar shall cause an enquiry to be made whether the applicant's name is recorded in the Register of Record of Rights in Gramakantam land, prepared in the Form-GK-I and Form-GK-IB and if he is satisfied that the applicant is eligible will issue to him Certificate of Ownership. If the applicant is not eligible for Certificate of ownership the Tahsildar shall inform the decision to him in writing.

## Rectification of Entries in Record of Rights

**16**.(1) Every application for the rectification of an entry in a Record of Rights made under sub-section (3) of Section 3 of the Act shall be to the Tahsildar of the Mandal in which the village is situated

(2) Every application made under sub-rule (1) above, shall be accompanied by a digitally signed copy obtained from Meeseva or Grama Sachivalayam or other department service portal of the entry from the Record of Rights which is sought to be rectified and the grounds for such rectification

(3) The Tahsildar may within a period of one (1) year as provided in sub-section (3) of Section 3 of the Act on his own accord initiate proceedings for correction of any mistake in the Record of Rights which he discovers himself or which is reported to him by the Panchayat Secretary.

**17**. (1) On receipt of an application for the rectification under Rule 15, read with sub-section (3) of Section 3 of the Act, within a period of one year from the date of notification of the Record of Rights prepared for the first time or Record of Rights made up-to-date in the village under sub-section (2) of Section 3 of the Act, the Officer referred to in Rule 15 shall hold an enquiry after giving notice thereof to:

a) the person making the application;

b) any person referred to in the application as having right or interest or as not having such right or interest in the lands to which the entry relates;

c) any person whose name has been entered in the Record of Rights as having interest in the land; and

d) any other person known or believed to be having an interest in the land to which the entry relates.

(2). The notice referred to in sub-rule (1) shall be in the Form GK-V.

18. (1) During the enquiry referred to in Rule 16 above, the said Officer shall take into account any written representation received or any oral representation made by any person referred to in Rule 16, or any other persons having interest in the matter and may:

A) summon the attendance of any person for the purpose of examining him;

B) require any person to produce any document; or

C) enter upon, inspect and measure or cause to be measured any land.

(2) On the completion of the enquiry referred to in Rule 16, the said Officer shall give his decision on the application for rectification of an entry and direct such rectification of the Record of Rights as may be required in accordance with such decision to be made. The decision shall be intimated in writing to all the persons referred to in sub-rule (1) of Rule 16

(3) All applications for the rectification of an entry shall be disposed of by the Tahsildar concerned within a period of 90 days from the date of filing an application.

(4) The orders referred to in the above sub-rules shall not be in contravention of any of the provisions of the Acts referred to in Rule 9(1)(a)(iv).

Maintenance of Record of Rights

**19**. (1). Maintenance of Record of Rights includes-

(a) correction of entries in pursuance of orders passed under Rule 17 above; and

(b) incorporation of all mutations in the respective entries in pursuance of orders passed under Section 5 of the Act"

(2) The intimation of acquisition of rights to the Tahsildar concerned under section 4 (1) by any individual shall be in Form GK-VIA either at a Citizen Service Centre (e.g. Grama Panchayat office/ MeeSeva Centre/Village Secretariats). An acknowledgement shall be given to the individual. The intimation by the Panchayat Secretary concerned shall be in Form GK-VI D.

(3) (a) The Tahsildar concerned shall maintain for every village / Grama Panchayat a separate Register containing the abstract of the intimations received under Section 4 of the Act. The orders passed under sub-sections (3) and (5) of Section 5 of the Act, either making an amendment or refusing to make such an amendment shall be maintained in Form GK-VII.

(b)Before any order is passed by the Tahsildar concerned either making an amendment in the Record of Rights or refusing to make such an amendment, the procedure prescribed in Section 5 of the Act shall be followed.

(c)Orders on all intimations shall be passed within a period of one (1) month from the date of receipt of intimation.

d)If the order is as per the request made in the intimation or where no order is passed within the stipulated period, the draft amendment to Form GK-IB, copy of which was enclosed to the notice in Form GK-VII shall become final automatically in the electronically maintained Record of Rights.

(e) If the order is in variance to the draft amendment to final of ROR in the form GK-IB the draft shall be suitably modified in the electronically maintained Record of Rights as per the order.

**20** . (1) The notice referred to in sub-section (3) of section 5 shall be in Form GK-VIII generated electronically. A copy of the draft amendment to Record of Rights in the Form GK-1B and generated electronically, as per the intimation received shall be enclosed to the notice. While preparing the draft amendment to Record of Rights in the Form GK-1B,the procedure for notation of new sub divisions of Land Parcel Numbers notionally given in para 15 of BSO-34 A, shall be followed.

2) Such notice together with a copy of the amendment shall also be published in the manner specified in Clauses (a) to (e) of sub-rule (2) of Rule 5.

**21**. (1) During the enquiry referred to in sub-section (3) of Sec. 5 of the Act, the Tahsildar concerned shall take into account the representations or objections written or oral made in this behalf by the persons referred to therein to whom the notice has been given or by any other person interested in the matter and may, if he considers necessary—

a) summon the attendance of any person for the purpose of examining him;

b) require the production of any document; or

c) enter upon, inspect and measure or cause to be measured any land

(2) In taking a decision on the intimation of acquisition of right, the Tahsildar concerned shall be guided by the principles/procedures laid down in Rule 9 above.

**22**. (1 ) An appeal against every order of the Tahsildar concerned either making an amendment in the Record of Rights or refusing to make such amendment shall lie under sub-section (5) of Section 5 of the Act, to the Revenue Divisional officer(RDO) or such authority as may be notified by the Government.

(2) Every appeal referred to in sub-rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty days from the date of communication of the order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub-rule (2) above, shall bear a Court-fee stamp of rupees five only.

**23**. Regularisation of certain alienations or transfers of land: -

(1) The Tahsildar concerned shall issue a general Notification in Form-GK-IX, calling for applications from the persons who are alienee/transferee by virtue of an alienation or transfer made or affected otherwise than by registered document for declaring such alienation as valid. Such notification shall be published in the District Gazette in which the village is situated and also in the following manner, namely—

i. by affixture in the chavadi or if there is no chavadi, in any other conspicuous place of the village;
ii. by affixture on the notice boards of the Gram Panchayat office, Primary Agricultural Co-operative Society and school if any;
iii. by beat of tom tom in the village;
iv. by affixture on the notice board of the Tahsildar concerned having jurisdiction over the village; and
v. by affixture on the notice board of office of the Mandal Praja Parishad in which the village is situated

(2) The alienee or transferee shall file application in Form GK - X' (i) on the notification issued under sub-rule (1), to the Tahsildar concerned Provided that the Alienation/Transfer took place before 01.12.2021.

(3) On receipt of the application under sub-section (2) of Section 5-A of the Act, the Tahsildar concerned shall issue notice to the alienor or transferor in Form GK- XI specifying therein the date on which and the time at which he proposes to enquire into the application. He shall also cause to issue a

notice in Form GK .XII (i) to all other persons believed to be interested in the land specifying therein, date, time and place at which he proposes to enquire into the application. Only unregistered documents shall be considered under Section 5-A of the Act.

(4) On the day so appointed or any other day to which the enquiry may be adjourned by him, the Tahsildar concerned shall after hearing the parties and on examining their documents and witnesses, if any, and after taking such further evidence as he may consider necessary to satisfy himself that the alienation or transfer is not in contravention of any of the provisions of the Acts referred to in Rule 9(1)(A)(ii) to complete the enquiry.

Explanation: For the purpose of conducting enquiry the Tahsildar concerned or any other officer prescribed should conduct local enquiry and obtain corroborative evidence from the neighbouring citizens and village elders.

(5)(i) After completion of the enquiry under sub-rule (4) above, the Tahsildar concerned shall require the alienee or the transferee under Section 5(A) of the Act, to deposit through a challan in the treasury an amount equal to the registration fees and stamp duty that would have been payable had the alienation or transfer been effected by a registered document in accordance with the provisions of the Indian Registration Act, 1908 as fixed by the registering officer on a reference made to him by the Tahsildar concerned in Form GK-XIIIA on the basis of the value of the property arrived, within the time fixed by the Tahsildar concerned not exceeding one month from the date of the communication and receipt of the order : Provided that in case the Tahsildar concerned considers it expedient he may grant further extension of time.

(ii) On the deposit of the amounts through a challan in the treasury as under Cl. (i), the Tahsildar concerned shall issue a certificate in Form GK-XIII B as required under sub-sec. (4) of Sec. 5-A of the Act to the alienee or the transferee declaring that alienation or transfer is valid from the date of issue of certificate

(iii) A copy of every such certificate shall be communicated in Form GK-XIII C by the Tahsildar concerned to the Sub-Registrar having jurisdiction over the area in which the Property/ land in respect of which the Certificate has been granted is situated and the Sub-Registrar shall file the certificate in the relevant registration records and index them after ensuring collection of registration fee and stamp duty from the party under Clause (i) .

(6) The Recording Authority shall on production of the certificate issued under sub-section (4) of Section 5-A of the Act make an entry in the Record of Rights in Form-GK-I and Form-GK-IB to the effect that the person whose name has been recorded as an occupant is the owner of the property from the date of the issue of the said certificate. The Recording Authority and the Tahsildar concerned shall make necessary entries in the Record of Rights in land in Form-GK-I and Form-GK-IB under proper

attestation and referencing to the files of the Tahsildar concerned.

(7) Thereafter the certificate of Ownership shall be issued to the occupant in the category of owner-Property holder.

**Appeal on Regularization of alienation/transfers**

**24**. (1) An appeal against every order of the Tahsildar concerned under sub-section (4) of Section 5-A of the Act shall lie to the Revenue Divisional Officer or such authority as may be notified by the Government.

(2) Every appeal referred to in sub-rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty (60) days, from the date of communication of order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub-rule (1) above shall bear a Court-fee stamp of rupees five only.

(4) Every appeal shall be disposed of within a period of six (6) months from the date of filing the appeal.

**Revision**

**25**. (1). Every revision shall be in writing and set forth concisely the grounds there of and shall be accompanied by a copy of the order or proceeding against which revision is sought. The revision petition shall bear a Court-fee stamp of rupees five (5) only.

(2). In case, a Suomoto revision is initiated, the grounds on which the revision is initiated shall be communicated to the person or persons likely to be adversely affected.

( 3).In case it appears to the Collector on examination that any such record, order or proceeding should be amended, modified, annulled, reversed or remitted for reconsideration, the Collector may pass orders accordingly, after giving sufficient opportunity to the party or parties likely to be adversely affected to make written or oral representation before issue of orders

(4) The orders under revision shall be final and there shall be no further review by the Collector.

**26**. Custody and inspection of the Record of Rights:

(1). The Record of Rights in Forms- GK-I and GK-IB shall be prepared in triplicate and also electronically, in the forms prescribed, Two copies have to be kept in the office of the Tahsilar, one of which is to be kept in the personal custody of the Tahsildar. The third copy should be kept in the custody of the Panchayat Secretary / office prescribed.

2) The Record of Rights shall be open for inspection of the public free of charge during office hours on all working days

**27**. Issue of Certificate of Ownership: -

1. The 'Certificate of Ownership' with the digital signature of the Tahsildar concerned can be obtained from any Meeseva/ Village Secretariat on payment of requisite fee.
2. Certificate of Ownership shall be prepared with reference to Form GK-IB under Rule 14 (1), taking village/ Grama Panchayat as a Unit.
3. The Certificate of Ownership shall be prepared in respect of owners and it shall have the same evidentiary value with regard to the title for the purpose of creation of equitable mortgage under the provisions of the Transfer of Property Act, 1882 as a registered document registered by a Registrar of Assurances.
4. The format of Certificate of Ownership for Gramakantam Lands shall be in Form GK-XIV.
5. The Certificate of Ownership for Gramakantam Lands shall be issued electronically in Telugu. Every Certificate of Ownership for Gramakantam Lands shall be presumed to be correct and true unless the contrary is proved
6. The Certificate of Ownership for Gramakantam Lands may contain such other details and proforma to be prescribed from time to time by the Commissioner.
7. The Certificate of Ownership for Gramakantam Lands along with photograph of the owner shall be digitally signed by the Tahsildar concerned
8. Proper record in respect of issue of Certificate of Ownership for Gramakantam Lands shall be maintained by the Tahsildar Concerned.

**Implementation of Court Decree**

**28**. Whenever a Court decree about acquisition of title by purchase of Property/ land through deeds on plain paper or by oral purchase is received from Court or presented to the Tahsildar concerned for implementing and incorporating changes in the Record of Rights, the Tahsildar shall make necessary changes in the Record of Rights based on Court decree only after collection of stamp duty and registration fee on the sale price of the land or market value of the land whichever is higher. If the person seeking execution of Court decree claims that he had already paid proper and adequate stamp duty in the Court and produces certificate issued by the Court to this effect and other evidence to the satisfaction of the Tahsildar, he shall demand and collect only registration fee and incorporate such changes in the Record of Rights and Certificate of Ownerships. If the decree is received or produced by or before a Registration Officer or other officers, these officers shall immediately send these decrees to the concerned Tahsildar for necessary action.

**29**. **Miscellaneous**: -

Every Recording Authority, Appellate Authority or other Officer holding an enquiry under the Act shall have, in addition to the powers referred to in

Clauses (a) and (b) of Section 10 of the Act the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit for the purpose of entering upon and inspecting any land or taking or causing to take measurements thereof.

**Serving of Notice**

**30**. The service of any notice, intimation of any decision and the communication of any order under the provisions of the Act or these rules shall be effected by giving or tendering a copy of such notice, intimation or order to the person concerned or an adult member of his family or where this is not practicable by sending it to him under certificate of posting.

**Records to be made up-to-date**

**31**. As and when the Record of Rights are prepared or brought up to date or rectified or maintained, such entry shall be brought into the village / Grama Panchayat records.

**Duplicate Certificate of Ownership**

**32**. Any person who loses Certificate of Ownership issued to him (or) whose Certificate of Ownership is mutilated can apply to the Tahsildar concerned along with his photograph. The Tahsildar after collecting the prescribed fee, shall issue a duplicate Certificate of Ownership, under acknowledgement, duly endorsing that it is a duplicate copy. The issue of a duplicate Certificate of Ownership shall be noted in Form GK-IB. In case a duplicate Certificate of Ownership is sought to replace a mutilated Certificate of Ownership, the mutilated Certificate of Ownership shall be surrendered to the Tahsildar for cancellation / destruction.

**Maintenance of Suits Register**

**33**. Every person proceeding under Sec. 8(2) of the Act shall intimate to the Tahsildar concerned the particulars of the suit. The Tahsildar shall enter the details of the suit in a register in Form GK-XVIII on the disposal of the suit, the Party shall communicate a copy of the order on the suit to the Tahsildar who shall enter the details in the register in the Form GK-XVIII. The register in Form GK-XVIII prescribed shall be open for inspection, and the certified extracts of the same shall be granted.

**Powers of the Commissioner**

**34**. The Commissioner, may from time to time, issue such orders and instructions as may be necessary for the purpose of explaining these rules, and to implement the provisions of the Act and the rules made there under properly.

35. Forms as prescribed in the rules are annexed to this order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

File No.REV01-LANA0MISC/1086/2021-LANDS-I

V Usharani Ias
Principal Secretary To Government

To
The Commissioner of Printing & Stationery (Printing Wing), Vijayawada with a Request to publish the Notification in the Andhra Pradesh Extraordinary Gazette and supply 100 copies of the same.
The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Vijayawada.
The Commissioner, R&R and Land Acquisition, AP, Vijayawada.
All Departments of Secretariat.
The Principal Secretary to Government, PR & RD Department,
All Collectors/Spl.Collectors/LAOs in the State of Andhra Pradesh (through the CCLA, AP, Vijayawada)

Copy to:
The OSD to the Prl. Advisor to C.M.,
The OSD to Dy. C.M. (Rev.)
The OSD to C.S.
The P.S. to Prl. Secretary, Revenue (land).
The Law (H) Department.
All the Sections in Revenue Department
SF/SC.

**// FORWARDED::BY::ORDER//**

**SECTION OFFICER**

**Form-GK-I**